

John M. Sears
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SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA
2011 JUL 29 PM 12:40
SANDRA K. HARRAH, CLERK
BY: *R. Gregorio*

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA

Plaintiff,

vs.

STEVEN CARROLL DEMOCKER,

Defendant.

No. P1300CR201001325

Div. PTB

OBJECTION TO REQUEST FOR
EXPEDITED HEARING

Pursuant to Rules 1.3(a) and 16.1(b) of the Arizona Rules of Criminal Procedure, John M. Sears, a proposed witness in this case, hereby objects to the State's request for an "expited hearing" (sic) on their motion for his deposition.

Mr. Sears respectfully requests that he be given the time provided for in the above-mentioned rules to file his response to the motion for his deposition, which he calculates as being due on or before August 11, 2011.

This Memorandum of Points of Authorities is filed in support thereof.

MEMORANDUM OF POINTS AND AUTHORITIES

The State filed a motion to take Mr. Sears' deposition pursuant to Rule 15.3 on July 27, 2011, serving Mr. Sears only by electronic mail. In the caption of that motion the State requested an "expited hearing", but provided no explanation why that would be necessary in this case. The State elected to wait until the last minute, just six weeks

1 before the trial in this case is set to begin, to raise this issue. In order to fully respond,
2 Mr. Sears will need to obtain a number of documents not readily available to him, and
3 will require the full time provided for in the above-referenced rules to do so.

4 Accordingly, Mr. Sears requests that he be given to and including August 11,
5 2011 to file a responsive pleading in this matter.

6 DATED this 29th day of July, 2011.

7
8 By: 
9 _____

10 John M. Sears

11 511 E. Gurley Street
12 Suite 104
13 Prescott, Arizona 86301

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15
16 ORIGINAL of the foregoing filed
17 this 29th day of July, 2011, with:

18 Sandra Markham
19 Clerk of the Court
20 Yavapai County Superior Court
120 S. Cortez
Prescott, AZ 86303

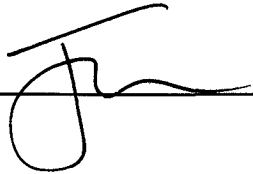
21 COPIES of the foregoing mailed
22 this 29th day of July, 2011, to:

23 The Hon. Warren R. Darrow
24 Judge of the Superior Court
25 Division Pro Tem B
2840 N. Commonwealth Drive
Camp Verde, AZ 86322

26 and delivered to:
27
28

1 Jeff Paupore
2 Office of the Yavapai County Attorney
3 Prescott courthouse basket

4 Craig Williams
5 Prescott courthouse basket

6 A handwritten signature, likely of Craig Williams, is written over a horizontal line. The signature is stylized, with a large initial 'C' and 'W'.

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